

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Guntur District - Acquisition of Endowment land to an extent of Ac. 22.57 cents in Sy.Ns.196 and 197 belongs to Sri Jagannadha Swamy, Sri Anjaneya & Sri Venkateswara Swamy temple, Lalapet, Guntur for providing house sites to the encroachers of eligible weaker sections – Sanction of an amount of Rs.22.57 lakhs to comply the orders of Hon'ble High Court in WPMP No.25902/08 in WP No.19828/08, dated.12-9-2008 in Contempt Case No.1628/2009 – Orders – Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 514

Dated.23-06-2010.

Read the following:-

1. From the Asst. Registrar, High Court of of A.P., Hyderabad
WPMP No.25902/08 in WP No.19828/08, dated.12-9-2008.
2. From the Deputy Registrar, High Court of of A.P., Hyderabad
CC No.1628 of 2009, dated.1-05-2010.
3. From the District Collector, Guntur, Rc. No.11/86-G1,
dated.7-7-2009 and 21-5-2010.
4. From the Commissioner of Social Welfare, AP Hyderabad
Lr.Rc.No.LA4/10200/2008, dated 27-5-2010.
5. From the Chief Commissioner of Land Administration, AP,
Hyderabad letter Rc.No.G2/1270/2007, Dated.3-6-2010.

ORDER:-

In the reference 3rd read above, the District Collector, Guntur has reported that an extent of Ac.22.57 cents of Endowment land belongs to Sri Jagannadha Swamy and Sri Venkateswara Swamy Temples of Guntur Town in Sy.Nos.196 & 197, was encroached by certain eligible beneficiaries in the year 1962. The Endowment Department decided to dispose of the said lands to the encroachers at Rs.10,000/- per acre. The Land Acquisition proposals were initiated by the then RDO, Guntur and DN and DD were published on 26-2-1982 for acquisition of land of Ac.22.57 cents in Sy.No.196 and 197 of Endowment dept. lands and possession of the land was taken on 19-9-1982. But, the Endowment Dept., while giving consent requested for payment of compensation for these lands at the rate of Rs.1,00,000/- per acre in lumpsum, which was ten times more than the rate negotiated with the encroachers i.e., Rs.10,000/- per acre. Consequent of the Amendment, the Land Acquisition Act 1984 came into force and the Award was not passed by the Land Acquisition Officer in this case due to lack of funds. Meanwhile the EO of Sri Janagannadha Swamy Temple filed WP No.3595 and 3596 of 1987 and the High Court dismissed the WPs on 9-2-1989.

2. Again, the Trustee of Temples filed WPMP No.25902/2008 in WP No.19828/2008 for early settlement of compensation for the respective lands. The Hon'ble High Court of AP, has issued orders in WPMP No.25902/2008 in WP No.19828/2008, dated.12-9-2008 as follows:

“There shall be interim direction to respondents 3 to 5 to the effect that they shall initiate proceedings for acquiring the land in Sy.Nos. 196 and 197, admeasuring Ac.22.57 cents, within a period of one month or in the alternative to restore the possession of the said land to the Petitioner. In default, they shall be liable to pay the damages or lease amount for the land not only for every month hereafter, but also the arrears from 1989 onwards tentatively at the rate of Rs.5,000/- per acre.”

3. As per the orders of Hon'ble High Court, the Land Acquisition proceedings under Section 4(1) and 6 of Land Acquisition Act, have been initiated by the District Collector, Guntur vide his proceedings No.1186/G1/dated.23-10-2008 and 12-2-2009 respectively. Meanwhile the trustee of Sri Janagannadha The trustee of Sri Jagannadha Swamy, Sri Anjaneya & Sri Venkateswara Swamy temple, Lalapet, by name Sri Ande Siva Narayana S/o Sessaiah has filed contempt case No.1628/09 in WPMP No.25902/2008 in WP No.19828/2008, for not complying the orders of the Hon'ble High court, dated.12-9-2008.

4. The Spl.C.S. & Chief Commissioner of Land Administration, AP, Hyderabad in his letter 5th read above, has informed that the Commissioner of Endowments, AP,

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Hyderabad in his DD's Ms/MA/74-80, dated.16-9-1982 had given consent for payment of compensation at the rate of Rs.1,00,000/- per acre in lumpsum and the same was confirmed in the minutes of the meeting held on 24-9-1987, with all concerned officials. The Asst. Commr., Endts., Guntur and E.O. of temples have given consent for payment even though the prevailing market value during the year 2002 is Rs.250/- per Sq. yard. As calculated at Rs.1,00,000/- per acre together with interest at 9% for Ac.22.57 cents from the date of taking possession of the land, i.e., 19-9-1982 to 31-5-2010 (27 years 8 months), the total amount of compensation to be paid is arrived at Rs.78,76,930/-. The Chief Commissioner of Land Administration, AP, Hyderabad has forwarded the proposal of the District Collector, Guntur to release an amount of Rs.80.00 lakhs for payment of compensation to the temple authorities, for taking appropriate decision.

5. After careful examination of the proposal of the Collector, Guntur District and the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad, the Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad to release an amount of Rs.22.57 lakhs (Rupees twenty two lakhs fifty seven thousands only) to the District Collector, Guntur as per the consent given by the Commissioner of Endowments, AP, Hyderabad in his DD's M2/MA/74-80, dated.16-9-1982, towards payment of compensation @ Rs.1,00,000/- per acre, in respect of Endowment land acquired to an extent of Ac. 22.57 cents in Sy.Ns.196 and 197 belongs to Sri Jagannadha Swamy, Sri Anjaneya & Sri Venkateswara Swamy temple, Lalapet, Guntur, for providing house sites to the weaker sections, in order to comply with the interim orders of Hon'ble High Court in WPMP No.25902/2008 in WP No.19828/2008, dated.12-9-2008, pending disposal of the main writ petition.

6. The amount of expenditure sanctioned in para (5) above shall be met from the provision available in the Budget Estimates for 2010-11 and debited to the following head of Account:

"2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites for weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid".

7. The Commissioner of Social Welfare, Hyderabad, is directed to issue necessary proceedings to the Collector, Guntur District accordingly.

8. This order does not require the concurrence of Finance (Exp.SW) Department as per the instructions issued by them vide their U.O. Note No.12869/196/A1/Exp.SW/2009,dated.22-5-2009 and U.O.No.15926/256/A1/Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Commissioner of Land Administration, AP, Hyderabad.

The Commissioner of Social Welfare, AP, Hyderabad.

The District Collector, Guntur District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.

The Accountant General, A.P, Hyderabad.

The District Treasury Officer, Guntur District.

The Finance (Exp.SW) Department.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER